

The Rejections

Claims 1, 2, and 4 - 6 have been rejected under 35 U.S.C. Section 102(b) as being anticipated by Moraly.

Claims 1 - 4 and 7 have been rejected under 35 U.S.C. Section 102(b) as being anticipated by Schirm.

Claim 3 has been rejected under 35 U.S.C. Section 103 as being unpatentable over Moraly.

Claim 8 has been rejected under 35 U.S.C. Section 103 as being unpatentable over Schirm in view of Deike.

Claim 1

Claim 1, particularly as amended, requires that the post sleeve of the applicant's sign post stabilizer have, in part, inner and outer channel walls that define a passage for a sign post to pass through. The inner and outer channel walls have diverging inner and outer slant wall portions to accommodate the flange wall of a sign post therebetween. A part of a wing member of the claimed stabilizer located between the inner and outer slant walls provides a surface for abutting against the flange wall of the sign post in a substantially parallel relationship. The tapering cross-section of the post sleeve passage permits the outer slant wall portions to contact the corners of a range of different channel-type sign post sizes and hold the flange portion of the sign post in an abutting relationship with the wing members. (See applicant's FIGS. 2, 5 and 6.) The close abutting relationship between applicant's stabilizer and a sign post inserted therethrough ensures a secure fit therebetween that resists the twisting torque loads applied to the sign post by winds (see, e.g., applicant's specification pages 9 - 10).

The Moraly reference teaches a peg device that lacks any of applicant's structural features that permit a close fit about a channel-type sign post, and it is submitted that Moraly could never lead anyone to the particular structural requirements of applicant's stabilizer as required by claim 1, particularly as amended.

The Schirm reference teaches a circular tie rod with a foot having radiating supports, but it does not show or suggest the particular structure required by applicant's claim 1, particularly as amended, for anchoring a channel-type sign post.

The Deike '156 reference teaches a post anchor having a wall with an arcuate cross-section and a wall with an angular cross-section defining a socket for a sign post, and therefore it is submitted that Deike '156 could never lead anyone to applicant's particularized structure as required by claim 1, particularly as amended. The structure taught by Deike '156 does not abut against the flange portions of the sign post in a substantially parallel relationship, which is a feature of applicant's claimed stabilizer. (The same considerations are true for the Deike '358 patent.)

Claims 2-4, and 8 are dependent upon claim 1 and therefore incorporate the combination of features recited in claim 1, particularly as it is amended.

It is respectfully submitted that the prior art would never lead anyone to the particular structural requirements of the claimed invention, and the benefits that flow from those claimed structures.

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

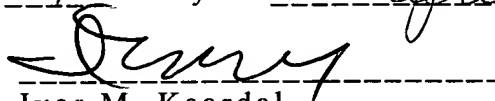


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